

REMARKS

Re-examination and allowance of the present application is respectfully requested.

Initially, Applicants thank the Examiner for indicating the allowability of claims 17-33. However, Applicants respectfully traverse the various 35 U.S.C. §103 rejections of claims 1-7 and 9-16. In this regard, Applicants note that the Office Action Summary sheet indicates that claim 8 is rejected. However, claim 8 is not discussed in the Detailed Action portion of the Office Action. Accordingly, Applicants believe that the subject matter of claim 8 is allowable over the applied art of record, and respectfully requests clarification of this matter.

Claims 1-4, 11, 12, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MAEDA (U.S. Patent No. 5,816,065) in view of MAEDA (U.S. Patent No. 6,199,394) and further in view of YOHO et al. (U.S. Patent No. 5,353,606) or DINNAGE et al. (U.S. Patent No. 6,557,365). Applicants respectfully traverse this ground of rejection.

According to a feature of the instant invention, a desiccant wheel includes paddles with a plurality of air pass holes. Specifically, the instant invention teaches, for example, that a desiccant wheel includes paddles extending from a shaft in a radial direction, each paddle having a predetermined width. The direction of air-flow passing between the paddles is perpendicular to the direction of the air pass holes.

Applicants note that the air pass holes feature of the paddles is specified in original claim 8, which, as noted above, does not appear to have been rejected over prior art.

Although Applicants do not agree with the Examiner's rejection of claims 1-4, 11, 12, 15 and 16, on this ground. Nevertheless, Applicants have amended independent claim 1 to include subject matter from claim 8 (which is herewith canceled), to clearly obviate the above noted ground of rejection in order to expedite prosecution of the present application. In this regard, Applicants note that MAEDA '065, MAEDA '394, YOHO et al., and DINNAGE et al. fail to teach or suggest the subject matter claimed in amended claim 1. In particular, claim 1, as amended, sets forth an air conditioning system including a desiccant wheel comprising a shaft mounted on an opening, and a plurality of paddles, in which each paddle has a fixed width and extends from the shaft in a radial direction, with the plurality of paddles including a plurality of air pass holes.

Support for the above amendment can be found, inter alia, at paragraph [0032] of Applicants' specification, and in Fig. 3 of Applicants' drawings.

The MAEDA '065 and '394 patents, the YOHO et al. patent, and the DINNAGE et al. patent disclose air conditioning systems. However, neither MAEDA '394, YOHO et al., nor DINNAGE et al. teach or suggest a desiccant wheel including a shaft mounted on an opening, and a plurality of paddles, in which each paddle has a fixed width and extends from the shaft in a radial direction, with the plurality of paddles including a plurality of air pass holes, as recited in amended claim 1. Applicants submit that the

MAEDA '394 patent, the YOHO et al. patent, and the DINNAGE et al. patent each fail to cure the deficiencies of the MAEDA '065 device, and even assuming, arguendo, that the teachings of MAEDA '065, MAEDA '394, YOHO et al., and DINNAGE et al. have been properly combined, Applicants' claimed air conditioning system would not have resulted from the combined teachings thereof.

Further, Applicants submit that there is nothing in the cited prior art that would lead one of ordinary skill in the art to make the modification suggested by the Examiner in the rejection of claim 1 under 35 U.S.C. § 103(a) over MAEDA '065 in view of MAEDA '394, and further in view of YOHO et al. or DINNAGE et al. Applicants submit that the only reason to combine the teachings of MAEDA '065, MAEDA '394, YOHO et al., and DINNAGE et al. results from a review of Applicants' disclosure and the application of impermissible hindsight.

Accordingly, Applicants submit that even if one attempted to combine the teachings of the various references in the manner suggested by the Examiner, one would fail to arrive at the present invention, in which, for example, the paddles include a plurality of air pass holes. Thus, Applicants submit that the rejection of claims 1-4, 11, 12, 15 and 16 under 35 U.S.C. § 103(a) over MAEDA '065 in view of MAEDA '394, and further in view of YOHO et al. or DINNAGE et al. is improper for all the above reasons, and respectfully request withdrawal of this ground of rejection.

Dependent claims 13 and 14 stand rejected under 35 U.S.C. §103(a) as being

unpatentable over MAEDA and YOHO et al., as applied to claims 1, 11 and 12, and further in view of OKAMOTO et al. (U.S. Patent 4,377,400). Dependent claims 5 and 6 stand rejected under 35 U.S.C. §103 as being unpatentable over MAEDA and DINNAGE et al., as applied to claims 1 and 2, and further in view of CALTON et al. (U.S. Patent 5,579,647). Dependent claims 7, 9 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over MAEDA and YOHO et al., as applied to claims 1 and 2, and further in view of COLVIN et al. (U.S. Patent No. 3,619,987). Applicants submit that neither OKAMOTO et al., CALTON et al., or COLVIN et al. disclose or suggest the features discussed above as lacking in the other applied references; namely, a desiccant wheel that includes a shaft mounted on an opening, and a plurality of paddles, in which each paddle has a fixed width and extends from the shaft in a radial direction, with the plurality of paddles including a plurality of air pass holes. For example, COLVIN et al. discloses a system including a desiccant wheel having a blade, but fails to teach or suggest any through holes in the blade of the desiccant wheel. Accordingly, Applicants submit that OKAMOTO et al., CALTON et al., and COLVIN et al. fail to cure the deficiencies of MAEDA '065, MAEDA '394, YOHO et al., and DINNAGE et al., in the various combinations noted above. Accordingly, Applicants submit that these dependent claims are allowable for at least the reason applicable to amended claim 1, and respectfully request such an indication from the examiner.

The Examiner has provisionally rejected claims 1-16 under the judicially

created doctrine of obviousness-type double patenting over claims 1-20 of co-pending U.S. Application No. 10/668,162 in view of MAEDA '065. Although Applicants do not agree with the appropriateness of this rejection, Applicants have filed a Terminal Disclaimer (copy enclosed) in order to expedite prosecution of the present application. Accordingly, Applicants submit that the ground for this provisional rejection no longer exists, and respectfully requests the Examiner to withdraw this ground of rejection.

SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

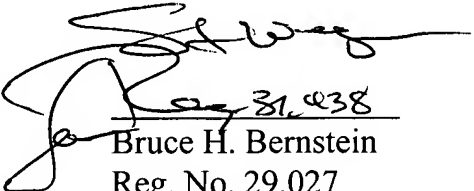
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any

required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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31,438
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Enclosure:
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